

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-5  
AGENDA DATE: Thu 04/28/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-04-0149.06 – Old West Austin Neighborhood Plan rezoning at 1412 W. 9th Street. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1412 W. 9th Street (Town Lake Watershed) from multi-family residence moderate – high density - neighborhood plan (MF-4-NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Jeffrey & Mary Crawford. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-04-0149.06

**P.C. DATE:**

January 25, 2005

February 22, 2005

**CITY COUNCIL:** April 28, 2005

**ADDRESS:** 1412 W. 9<sup>th</sup> St

**OWNER/APPLICANT:** Jeffery & Mary Crawford

**AGENT:** City of Austin, NPZD  
Thomas Bolt

**ZONING FROM:** MF-4-NP

**TO:** SF-3-NP

**AREA:** N/A

**SUMMARY STAFF RECOMMENDATION:** Approve the rezoning from multi-family residence district, neighborhood plan combining area (MF-4-NP) to family residence, neighborhood plan combining district (SF-3-NP)

**PLANNING COMMISSION RECOMMENDATION:**

POSTPONE TO FEBRUARY 22, 2005 - VOTE: 8-0 (CG-1<sup>st</sup>, JR-2<sup>nd</sup>)

FEBRUARY 22, 2005 - APPROVE SF-3-NP BY CONSENT: VOTE: 7-0 (JR-1<sup>st</sup>, JMC-2<sup>nd</sup>, DS, KJ-ABSENT)

**ISSUES:** N/A

**DEPARTMENT COMMENTS:**

The Old West Austin Neighborhood Plan approved by the City of Austin City Council on included a recommendation and action item to allow and support the down-zoning of all single family use properties from Multi-family zoning districts to Single-Family district.

The plan provided that the property owners should initiate these rezoning. The Old West Austin Neighborhood Association canvassed the Neighborhood Plan Area resulting in several requests by property owners to down zone their individual properties.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	MF-4-NP	Single family residence
<i>North</i>	SF-3- NP	Single family residence
<i>South</i>	MF-4-NP	Single family residences
<i>East</i>	SF-3-NP	Single family residences
<i>West</i>	SF-3-H-NP	Single family residences

**PLAN AREA:** Old West Austin Neighborhood Plan

**TIA:** N/A

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

# 018 Old West Austin Neighborhood Association  
# 173 Old Enfield Homeowners Association  
# 511 Austin Neighborhoods Council  
# 998 West End Alliance

**SCHOOLS:**

Mathews Elementary  
Austin High School

**CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-04-0149 - C14-04-0149.47	MF 3-NP & MF-4-NP to SF-3-NP	PENDING	PENDING

**RELATED CASES:** N/A

**ABUTTING STREETS:**

Rights-of-way on which the various properties are located are classified either as a local or collector.

**CITY COUNCIL DATE:** April 28, 2005

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Thomas Bolt  
[Thomas.bolt@ci.austin.tx.us](mailto:Thomas.bolt@ci.austin.tx.us)

**PHONE:** 512-974-2755



## **STAFF RECOMMENDATION**

**Approve the rezoning from multi-family residence, neighborhood plan combining area (MF-4-NP) to family residence, neighborhood plan combining district (SF-3-NP)**

## **BACKGROUND**

**The Old West Austin Neighborhood Plan approved by the City of Austin City Council on included a recommendation and action item to allow and support the down-zoning of all single family use properties from Multi-family zoning districts to Single-Family district.**

**The plan provided that the property owners should initiate these rezoning. The Old West Austin Neighborhood Association canvassed the Neighborhood Plan Area resulting in several requests by property owners to down zone their individual properties.**

**The Old West Austin Neighborhood Plan states under Goal 2(Protect the character of the Neighborhood) Objective 2.2 (Protect current pattern of single-family uses in neighborhood, Action Item 6:**

***If requested by the property owner, allow voluntary zoning rollback on multi-family zoning (on land that currently has single-family uses), by providing a no-cost zoning rollback. The neighborhood has approximately 340 parcels in single-family use with multi-family zoning. This zoning presents a threat to continued single-family uses,***

## **BASIS FOR RECOMMENDATION**

**The proposed zoning should be consistent with the purpose statement of the district sought:**

**This property although zoned multi-family is currently developed and uses as a single-family district use.**

**Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties**

**The Old West Austin Homeowners Association for the purpose of seeking support and involvement in the proposed down zoning canvassed the neighborhood. Many property owners within the plan area having a similar situations and are seeking the same SF-3-NP zoning district for their properties**

**The proposed zoning should be consistent with the goals and objectives of the City Council.**

**The Old West Austin Neighborhood Plan, approved in 2000 had a specific goal and action item addressing consistency with current use and zoning. This request along with many others within the planning area has similar circumstances. The proposed downzoning is consistent with the Neighborhood Plan Goal #2, Objective 2.2., Action Item 6.**

**The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission**

**The City of Austin City Council approved the Old West Austin Neighborhood Plan in which goals and action items addressed support for this request.**

**Zoning should be consistent with approved and existing residential densities.**

**The current use of this property is consistent with those permitted in the SF-3-NP district. SF-3-NP district along with the Small Lot Amnesty provision within the plan will allow for secondary units on lots having SF-3-NP zoning.**

**Rezoning should not contribute to the over zoning of the area.**

**The proposed zoning seeks to maintain the current mix of both single family, single family with secondary units, and multi-family uses within the Old West Austin Neighborhood Plan area.**

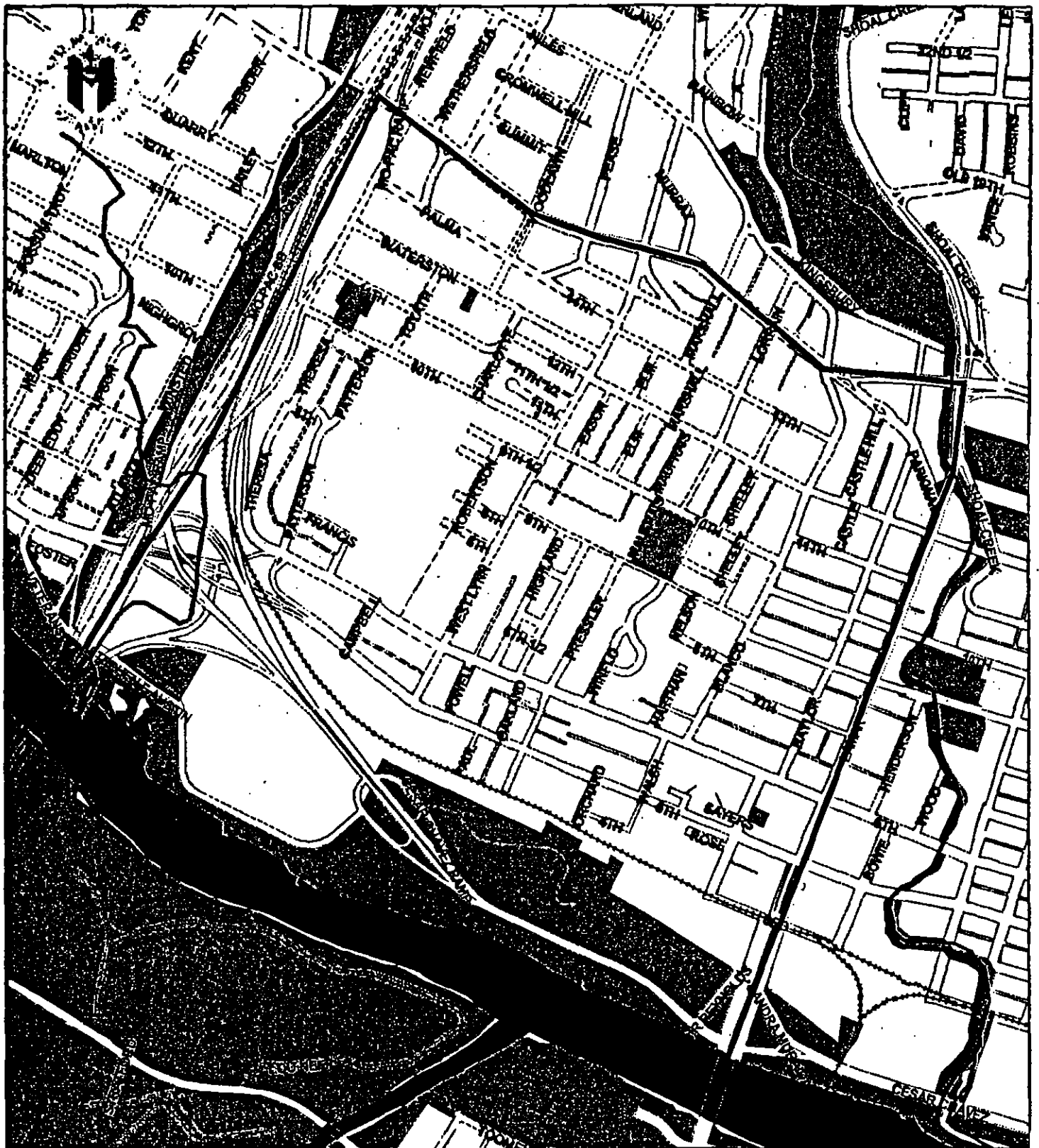
**Zoning changes should promote a balance of intensities and densities.**

**The proposed zoning request will contribute to the ability to support a mix of residential uses within the Neighborhood Plan Area.**

## **EXISTING CONDITIONS**

### **Site Characteristics**

**The site is generally flat and currently developed with a family residential district use.**



# Old West Austin Neighborhood Planning Area

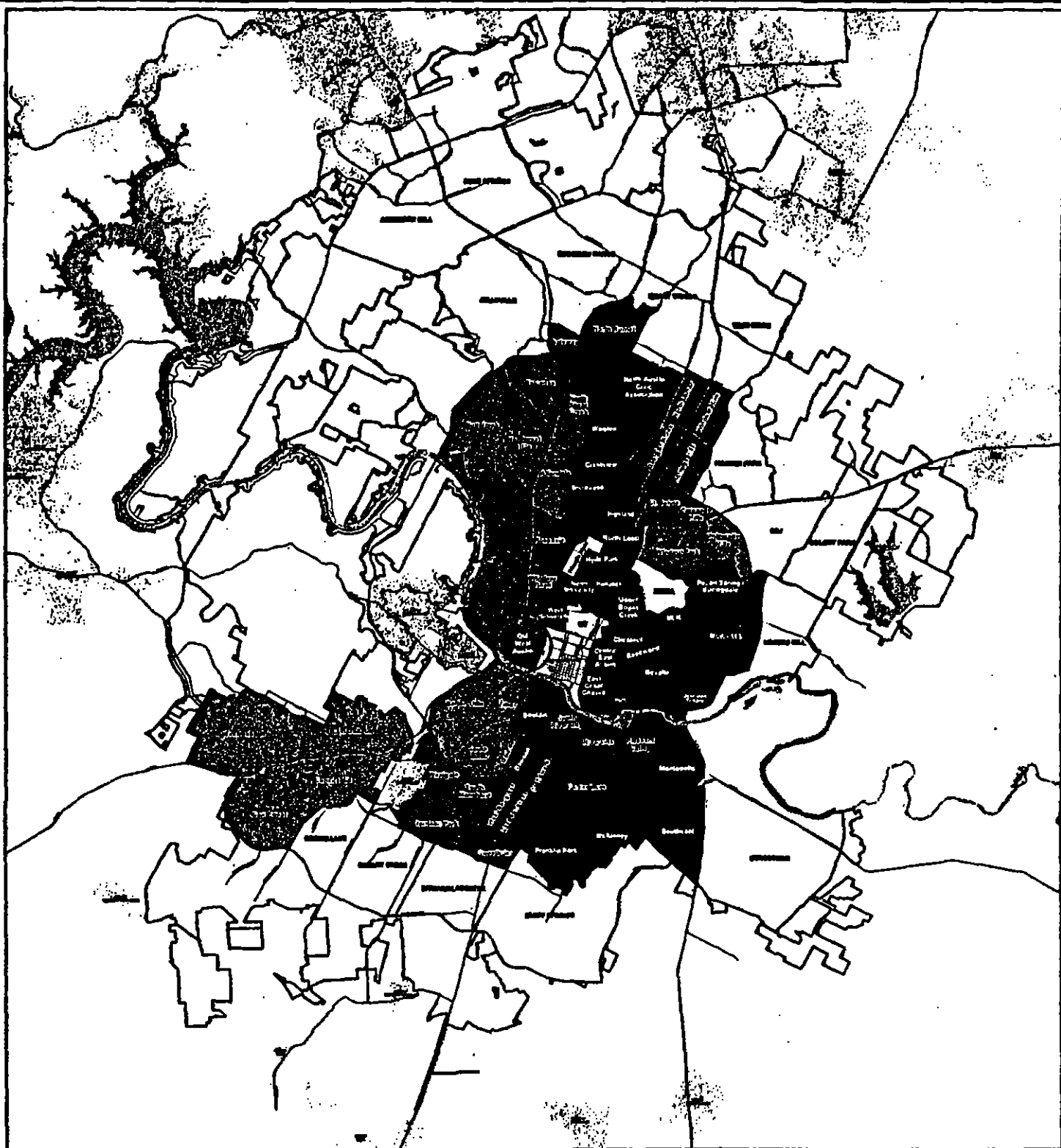
 Parks

0.5

0

0.5 Miles





# City of Austin Neighborhood Planning Areas

- APPROVED WITH ZONING
- PLAN IN PROGRESS
- 2005-2006 NEIGHBORHOOD PLANNING AREAS
- 2006-2007 NEIGHBORHOOD PLANNING AREAS
- 2007-2008 NEIGHBORHOOD PLANNING AREAS
- NOT CURRENTLY SCHEDULED
- NON-NEIGHBORHOOD PLANNING AREA
- Other Cities



Prepared by City of Austin  
 Department Planning & Survey Department  
 November 10, 2004

This map was prepared by the City of Austin for the sole  
 purpose of policy planning and is not intended for any  
 other use. No warranty is made regarding its accuracy or completeness.  
 Last updated: 11/10/04



6. Rezoning: C14-04-0149.05 - OWAN 1506 W. 9th ST  
Location: 1509 W. 9TH ST, TOWN LAKE Watershed, Old West Austin  
NPA  
Owner/Applicant: Carter Design Associates, Michael Gagarin  
Agent: COA  
Request: Rezone from MF-4-NP to SF- 3-NP  
Staff Rec.: RECOMMENDED  
Staff: Thomas Bolt, 974-2755, Thomas.Bolt@ci.austin.tx.us  
Neighborhood Planning & Zoning

**MOTION: APPROVE BY CONSENT**

**VOTE: 7-0 (JR-1<sup>st</sup>, JMC-2<sup>nd</sup>; DS, KJ- ABSENT)**

7. Rezoning: C14-04-0149.06 - OWAN 1412 W. 9th ST  
Location: 1412 W. 9TH ST, TOWN LAKE Watershed, Old West Austin  
NPA  
Owner/Applicant: Jefferey & Mary Crawford  
Agent: COA  
Request: Rezone from MF-4-NP to SF- 3-NP  
Staff Rec.: RECOMMENDED  
Staff: Thomas Bolt, 974-2755, Thomas.Bolt@ci.austin.tx.us  
Neighborhood Planning & Zoning

**MOTION: APPROVE BY CONSENT**

**VOTE: 7-0 (JR-1<sup>st</sup>, JMC-2<sup>nd</sup>; DS, KJ- ABSENT)**

8. Rezoning: C14-04-0149.07 - OWAN 1215 W. 9th ST  
Location: 1215 W. 9TH St, TOWN LAKE Watershed, Old West Austin  
NPA  
Owner/Applicant: Josue & Marcelina Quintanilla  
Agent: COA  
Request: Rezone from MF-4-NP to SF- 3-NP  
Staff Rec.: RECOMMENDED  
Staff: Thomas Bolt, 974-2755, Thomas.Bolt@ci.austin.tx.us  
Neighborhood Planning & Zoning

**MOTION: APPROVE BY CONSENT**

**VOTE: 7-0 (JR-1<sup>st</sup>, JMC-2<sup>nd</sup>; DS, KJ- ABSENT)**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1412 WEST 9<sup>TH</sup> STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-NEIGHBORHOOD PLAN (MF-4-NP) COMBINING DISTRICT TO FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from multifamily residence-moderate high density-neighborhood plan (MF-4-NP) combining district to family residence-neighborhood plan (SF-3-NP) combining district on the property described in Zoning Case No. C14-04-0149.06, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 12, Outlot 4, Division Z, Wendlandt's Subdivision, Original City of Austin, as more particularly described in an instrument recorded in Volume 12325, Page 1254, Real Property Records of Travis County, Texas, (the "Property")

locally known as 1412 West 9th Street, in the Old West Austin neighborhood plan area, and generally identified in the map attached as exhibit "A".

**PART 2.** Except as otherwise provided in the this ordinance, the Property is subject to Ordinance No 020926 that established the Old West Austin neighborhood plan combining district.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2005.

**PASSED AND APPROVED**

§  
§  
§

\_\_\_\_\_, 2005

Will Wynn  
Mayor

**APPROVED:**

**ATTEST:**

David Allan Smith  
City Attorney

Shirley A. Brown  
City Clerk

